

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 05-14431

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<p><b>FILED</b> <b>U.S. COURT OF APPEALS</b> <b>ELEVENTH CIRCUIT</b> <b>April 26, 2006</b> <b>THOMAS K. KAHN</b> <b>CLERK</b></p>
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D. C. Docket No. 04-00483 CR-T-24-TGW

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ORISMAN ENRIQUE RINCONES-ONATE,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Middle District of Florida

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**(April 26, 2006)**

Before ANDERSON, FAY and SILER\*, Circuit Judges.

PER CURIAM:

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\*Honorable Eugene E. Siler, Jr., United States Circuit Judge for the Sixth Circuit, sitting by designation.

We note that appellant does not challenge his conviction, and it is accordingly affirmed. Appellant's only challenge on appeal is that his sentence is unreasonable. First, we reject the government's argument that this court lacks jurisdiction to review the sentence for reasonableness; that argument is foreclosed by our decision in United States v. Martinez, 434 F.3d 1318 (11<sup>th</sup> Cir. 2006). However, we readily conclude, for the reasons discussed at oral argument, that the sentence imposed by the district court is not unreasonable.

Accordingly, the judgment of the district court is

**AFFIRMED.**